

# Storytelling to Inspire Law Students

By Lawrence Dubin\*

Even though the public image of lawyers has been in decline<sup>1</sup> and many lawyers publicly complain about their job dissatisfaction,<sup>2</sup> thousands of law students each year continue to pay high tuition rates and endure a difficult and demanding curriculum in the hopes of becoming lawyers.

Many of them enter law school with images of helping others through their profession. By graduation, that goal is frequently lost. The challenge for legal educators is to develop ways of creatively engaging and encouraging their students' altruistic impulses into the desire to use their legal skills for the attainment of social justice.

Andrew Watson, the late noted University of Michigan law professor and psychiatrist, discussed the psychological needs and concerns that tend to explain why certain people are attracted to the field of law. He said one such need of law students, contrary to the public image of lawyers, is their concern for social altruism or a desire to do something useful for society, to make life better for one's fellow man.<sup>3</sup> Watson contended that during law school, professors discourage and dismiss the altruistic spirit of law students as "bleed-

ing heart" thinking that can lead to unsound legal analysis. His belief was that law students are socialized "toward an entrepreneurial value position, a position that views the law as primarily a mechanism for private conflict resolution and views the lawyer's task as limited to facilitating the client's narrow interests in the specific case at hand."

Jeffrey Brand, dean of the University of San Francisco School of Law, recently wrote, "Ask entering law students why they chose law school and the response is predictable and often heartwarming... many want to

do good in the world and see the law as a useful tool to accomplish that goal."<sup>4</sup> If he is correct, law students will find no shortage of social injustices that can be addressed once they become lawyers.

Some of the social injustices that cry out for the attention of altruistic lawyers include inadequate health care; housing and employment opportunities; unavailability of affordable legal representation; discrimination due to race, sex, or sexual preference; disproportionate incarceration of young African-American men for nonviolent drug offenses and other inequities in the criminal justice system; and poorly funded inner city public schools.

The pursuit of social justice as a goal of legal education also should be the goal of every law school. Educating and sensitizing

law students to the need for social justice does not mean abandoning the more traditional way we train law students. Rather, as one legal educator recently wrote, "While we prepare students to participate successfully in the secular world, we must also educate them about the inequities in the world and

join them in addressing these inequities."<sup>5</sup>

Law students need positive role models who inspire them and validate their altruistic concerns. Many lawyers could serve as role models for today's law students. The problem is that in the absence of publicizing their ef-

forts, law students will never know about these lawyers' accomplishments. Paul Rogat Loeb recently noted that "most of us know next to nothing of the many battles ordinary men and women have fought to preserve freedom, expend the sphere of democracy, and create a more just society."<sup>6</sup>

Recognizing the importance of good storytelling as an educational tool to bring attention to the accomplishments of lawyers who work for social justice, I produced a public television documentary, "Legal Heroes"<sup>7</sup> that offers law students a perspective on the role of lawyers as important contributors to social progress. It is about "lawyers who are proud of their profession, clients who believe they have been well treated, and proof that the law can be used successfully to bring about social change."<sup>8</sup> These stories offer law students a unique view of the potential satisfaction that can be gained by being a lawyer.

The three attorneys profiled in "Legal Heroes" are

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All columns are the opinion of the writer and do not represent the position of the Legal Education Committee.

- Amelia Lewis, 85 years old at the time of the documentary, who almost 40 years after being admitted to the bar, decided to help children less fortunate than her own. She represented Gerald Gault, a 14-year-old boy charged with making obscene phone calls, adjudicated a ward of the state, and sent to a reform school as a result of proceedings lacking any of the due process rights afforded to adults under the Constitution. Lewis litigated the case to the U.S. Supreme Court and secured a landmark judgment that changed the face of the entire American juvenile justice system.
- Vincent McCarthy, a real estate attorney and senior partner in Boston's largest firm, was involved for 17 years with a shelter for the homeless. It began, he explains, six years after he graduated from law school, when he overcame alcoholism and realized that "but for the grace of God" he would be one of those in need of assistance. He talks about the endeavor in human terms ("rich people, generally speaking, don't see poor people") and of the shelter's growth into the most successful facility of its kind in Boston.
- Fred Gray, a black lawyer, entered law school wanting to change the racial status quo. A product of the segregated South, he knew as a student that he intended to use his law degree to "destroy everything segregated [he] could find." At 25, he represented Rosa Parks, whose arrest launched the Montgomery bus boycott and started the civil rights career of Dr. Martin Luther King, Jr. Later, he litigated the cases that integrated Alabama schools at the elementary, secondary, and college levels.<sup>9</sup>

"Legal Heroes" may be useful in a professional responsibility course where students normally spend considerable time discussing the ethics rules in a legalistic context. The program would provide balance by interjecting a more human context in which to evaluate the conduct of lawyers. One reviewer of the program, Professor Vincent Johnson, said that, "Legal Heroes" "refreshes the spirit and nourishes the soul in the best tradition of storytelling. It reminds lawyers and law students that there is more to law practice than law. Its message, as one of the lawyer-heroes admonishes, is a professionally es-

sential but too often unexpressed truth: "There . . . is so much more that needs to be done . . . [and] can be done."<sup>10</sup>

If Dr. Watson is correct about what motivates people to become lawyers, encouraging law students to understand how their professional skills can address social problems will have many positive results. These students will develop a heightened commitment in working toward issues involving the pursuit of social justice. Additionally, they will satisfy their personal motives and objectives that brought them to law school. Finally, the public's image of lawyers would be improved if more lawyers used their legal talent to fight for social justice. ♦



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## FOOTNOTES

1. John C. Buchanan, "The Demise of Legal Professionalism: Accepting Responsibility and Implementing Change," 28 *Val. U. L. Rev.* 563 (1994); Wendy H. Lamphear, "Improving the Image of the Legal Profession," 24 *Colo. Law. J.* 1 (1995).
2. Leslie W. Abramson, "Law v. Life: What Lawyers Are Afraid to Say About the Legal Profession," 22 *Ohio N. U. L. Rev.* 809 (1996); Paula Franzese, "Back to the Future: Reclaiming Our Noble Profession," 25 *Seton Hall L. Rev.* 488 (1994).
3. Patrick Keenan, Teaching Professional Responsibility (Materials and Proceedings From The National Conference), pp 619-30 (1979).
4. Jeffrey Brand, "Jesuit Law Schools and the Pursuit of Justice: Unique Opportunities, Unique Responsibilities," 19 *Conversations*, Spring, 2001, p 30.
5. Henry Rose, "A Law School Faculty Member's Perspective On Justice," 19 *Conversations*, Spring, 2001, p 51.
6. Paul Rogat Loeb, *Soul Of A Citizen (Living With Conviction In A Cynical Time)*, St. Martin's Griffin (1999), p 36.
7. "Legal Heroes" was produced through the facilities of WFUM-TV, University of Michigan Public Television, Flint, Michigan. The program runs 28 minutes. Professor Lawrence Dubin, as the producer, was a 1988 winner of the State Bar of Michigan's Wade McCree Advancement of Justice Award.
8. Vincent Robert Johnson, "Law-givers, Storytellers, and Dubin's 'Legal Heroes': The Emerging Dichotomy in Legal Ethics," Vol. 3 *Georgetown Journal of Legal Ethics* (1989), p 349.
9. *Id.* at p 348.
10. *Id.* at p 350.